exactly when Tammy left us. She may not have been employed at the time this e-mail was sent.

Q. Okay. Okay. And Ms. Long, can you describe her for the jury? Was she a white lady or a Caucasian -- or a black lady?

A. I expect she was African-American, but I don't know that.

Q. Okay. How long did she work for Jones Day?

A. One year, 15 months. I don't recall exactly. Somewhere --

Q. Okay.

A. -- between one year or 15, 16 months.

Q. Okay. Did she make a complaint of discrimination?

A. No.

Q. Did she ever make any complaints against you?

A. Not that I'm aware of.

Q. Would you have been aware of any complaints she had made against you?

A. Not necessarily.

Q. How would you describe your working relationship with Ms. Long?

A. I would describe it as a professional relationship.

Q. Did you discipline Ms. Long or have any issues

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with her performance?

A. Not that I recall.

Q. Looking back at the memo, Ms. White goes on to say in the next sentence: "That would free her up to do more of the managerial and organizational things and give her the opportunity to show she can actually do it if she had a proper 'staff.'"

I believe I read that correctly. There's two of the words that are taken off: "her" and "she." Do you believe that those are the words that are there?

A. I believe they are.

Q. Okay. All right. Did you disagree with that statement?

A. I'm not sure this is a statement that merits an agreement or a disagreement.

Q. Okay.

A. That was Sara's statement.

Q. Well, I assume that you trust Ms. White with respect to decisions regarding the GIS department of Jones Day.

A. Is that a question?

Q. Yeah. I assume that you would. Would you agree with the statement that Ms. White is in a position to make opinions about the administration of GIS -- and I'm just using "GIS" generically -- GIS decisions in the

Jones Day environment?
A. Yes.
Q. All right. And she's the North American manager, regional manager; that's correct?
A. I believe it is.
Q. Okay. So, in other words, she's there to provide you with assistance in making these decisions, right?
A. She is available as a resource to help us make these decisions, yes.
Q. Okay. So, when someone who is at such a high level makes a statement with respect to an opinion -- which I think we can agree that's an opinion -- would it be within your job responsibilities to either agree with it or disagree with it?
MS. CLARK: Objection; form.
You can answer.
A. Would that be in my job responsibilities?
I -- yes.
Q. (BY MR. PADGETT) Okay. All right. And I don't completely understand why you think that question was funny. Maybe you can explain that.
MS. CLARK: Objection.
There's no evidence on the record that he thought the question was funny.

If the question is, "Mr. Richardson, was my question funny?" then you can answer that question.

Q. (BY MR. PADGETT) Well, my notation that I'll now make to the record, just so that it's clear, is that you chuckled when you answered the question.

Why did you think the question was funny?

MS. CLARK: Well, I object to that characterization of the expression -- whether it was confusion or exasperation or whatever -- as being a chuckle.

But you can answer.

A. I did not chuckle. It's an exasperating question.

Q. (BY MR. PADGETT) Okay. All right. And that's the reason why you reacted the way you did, was the question was exasperating?

A. Yes.

Q. All right. Well, I apologize for being exasperating. I'm just trying to get to the bottom of some of these things.

A. Okay.

Q. Part of your decision-making or part of your responsibility at the time was to be an office administrator. And that would include -- would it not -- making decisions about whether or not somebody was going to run a department and how that department would function; would that be correct?

A. Yes.

Q. And specifically with respect to the GIS manager position, you had indicated -- obviously, as indicated in this e-mail to Ms. White -- that you were looking to hire, outside of Jones Day, a manager for the GIS department; is that correct?

A. This is not my e-mail to Ms. White; this is Ms. White's e-mail to me.

Q. Ms. White's e-mail to you about her conversations --

A. Yes.

Q. -- that she had with you, correct?

A. Yes.

Q. And in this we can discern that there were discussions involving the hiring of a GIS manager.

A. Correct.

Q. Included in that discussion was whether or not you were going to go outside of the firm to find someone to take the position of GIS manager.

A. Yes.

Q. All right. Prior to that time in January of 2003, who was serving in the capacity of GIS manager?

A. The Houston office did not have a GIS manager.

Q. I understand that there was no specific named GIS manager. At least that's your position. But who was serving the function of the GIS manager?
A. I'm not sure anyone was.
Q. Who did every other GIS manager in Jones Day consider to be the GIS manager of Houston?
A. I can't speak to what everybody else considered.
Q. Who was invited twice to the GIS manager meeting from the Houston office?
A. Ava Slaughter.
Q. All right. Whenever there was an e-mail that went out to GIS managers across the Jones Day firm, who received that e-mail in the U.S. -- in the Houston office?
A. I believe Ava Slaughter might have.
Q. Whenever there was a conference call of the GIS managers, who participated in that conference call for Jones Day the Houston office?
A. Sometimes Ava Slaughter would.
Q. All right. As a result do you believe that you can tell this jury one way or another about whether or not other people considered Ms. Slaughter to be in the position of GIS manager?
MS. CLARK: Objection; asked and answered.

But you can answer.

A. I cannot speak to what other people thought.

Q. (BY MR. PADGETT) Okay. So at some point you've decided that we're now going to create -- you're going to create a position of GIS manager.

A. Yes.

Q. That happened sometime in January of 2003?

A. I can't speak to when we first decided to do this. I don't recall it being January, 2003. We had an ongoing issue with providing proper support and leadership in that department. We had identified that as an issue.

Q. Well --

A. So I can't speak to the exact timing on this.

Q. Why can't you? It's an issue that you've identified, correct?

A. Correct.

Q. It's an issue that's important to you, correct?

A. Correct.

Q. It's important to every single attorney that's in the Jones Day Houston office because you're telling this jury under oath that you've got an issue with proper support and leadership.

Why can't you tell them when you first decided that you needed to hire a GIS manager?

A. I don't recall the exact timing.
Q. All right. But we know for certain that Sara White is sending you an e-mail about a conversation that you've had with her about hiring outside a GIS manager in January of 2003, correct?
A. We have this e-mail here --
Q. All right.
A. -- yes (indicating).
Q. Now, Ms. White goes on to say: "That way you'd have some quantifiable performance criteria to use when making your decision." And then the next sentence, I believe, is "just a thought."
Do you believe I've read that correctly?
A. Yes.
Q. All right. What do you think she meant when she wrote that?
MS. CLARK: Objection; form.
You can answer.
A. I don't know what Sara meant when she wrote that.
Q. (BY MR. PADGETT) What did you think when you got this e-mail?
A. I thought Sara had some concerns about how this position was being staffed and, based on her limited knowledge of the situation, she was offering some of her

thoughts.

Q. All right. What are her concerns about how the position's being staffed?

A. Well, again, I can't speak to her concerns. What I infer from this e-mail is that she knows that we do not have a GIS manager in the Houston office, she's aware of our pending move, she's aware of our growth over the last couple of years, and she wants to assist us in being prepared for future growth and for the move itself.

Q. And she's offering you some -- an option that, given her experience as a GIS manager or GIS regional manager, she believes would be a pretty good option, correct?

A. Yes.

Q. I mean, she doesn't come out and say, "Go hire outside of the firm a GIS manager"?

A. No, she does not.

Q. What she says is, "Support the person that's in the position so that you can have some quantifiable performance criteria to use to determine whether or not that lady can perform that position."

MS. CLARK: Objection; the document speaks for itself.

But you can answer.

A. Well, that's not exactly what she said.

Q. (BY MR. PADGETT) What did she say, then?

A. Would you like me to read this (indicating)?

Q. Absolutely.

A. "I am waiting to discuss with George his thoughts on my involvement should you decide to hire outside for a GIS manager. I gave him a very high-level overview. He understands the confidentiality of the conversation. But I want to discuss it further. I had a thought, though, after I left, about the situation. Have you ever considered bringing in a contractor for a few months to 'assist' Ava with a lot of the desk-side assistance she does, especially with the troubleshooting and repairs? That would free her up to do more of the managerial and organizational things and give her the opportunity to show if she can actually do it if she had a proper 'staff.' That way you'd have some quantifiable performance criteria to use in making your decision. Just a thought."

Q. So what did you do to put that into effect?

A. I'm sorry. Could you be more specific?

Q. What did you do to put into effect the suggestion that the regional North American GIS manager gave you?

A. I don't recall putting anything into effect.

As I indicated earlier, we had at different times brought in additional support to assist Ava.

Q. So did you believe that you had quantifiable performance criteria to use when making your decision at that point?

MS. CLARK: I'm sorry.
Objection; vague.
But you can answer.

A. I believe that we had at the time close to two years of quantifiable performance criteria.

Q. (BY MR. PADGETT) Okay. Did you respond to this e-mail?

A. I don't recall if I did. I don't think I did.

Q. Why not?

A. I'm not sure it merited a response.

Q. And so it's your testimony that the regional manager of North America sends you an e-mail and you don't respond, not even with a, "Thanks for your thoughts," or anything like that?

A. I receive hundreds of e-mails where people are offering opinions or thoughts. I do not respond to every one of them.

Q. All right. And so it's your testimony under oath that you did not respond to this e-mail?

A. I do not recall responding to this e-mail.

Q. Where would that e-mail be if you had responded to it?
A. If Sara White saved a copy, then Sara White might have it.
Q. Did you make a search of your e-mails in an attempt to discover if you had made a response to this?
A. I searched through e-mails in response to your discovery request. I do not recall this exact e-mail. I believe this was produced by Sara White, not by Kevin Richardson, because I don't recall having a copy of this e-mail. And I don't recall the e-mail until I reviewed it or saw it as part of our discovery responses.
Q. And it's your testimony that this is one of the e-mails that you would consider not worthy of a response?
MS. CLARK: Objection.
You can answer.
A. I -- this e-mail at the time -- I did not respond to this e-mail, that I recall.
Q. (BY MR. PADGETT) And you can't tell the jury why you didn't respond to this e-mail?
A. Well, I think I've already answered this. I have -- I receive hundreds of e-mails where people offer thoughts and opinions. I do not respond to every single one of them.

Q. Well, one of the big issues at the time, though, was whether or not you were going to have a new GIS manager in the position, correct?
A. That was addressed in this e-mail, yes.
Q. All right. And this was something that Ms. White had actually made a trip from, I guess, Cleveland to come down and review.
A. I think it's unlikely that Sara White made a trip down to Houston for the purposes of discussing the GIS manager position.
Q. What would the regional manner of GIS be doing visiting the Houston office about?
A. It could be many different things. It could be to discuss the new desktop that we were going to roll out. It could be to discuss our pending move.
She made several trips. At times she came down to provide support to Ava. I don't recall exactly what this -- the purpose of the particular trip that she refers to or is -- can be inferred from this e-mail. I don't recall what the purpose of that trip was.
Q. Why were you thinking about hiring outside of Jones Day in January of 2003 for a GIS manager?
A. I think we were exploring all of our options. That includes hiring outside of Jones Day and hiring within Jones Day.

Q. All right. What did you do to disavow other people's impression that Ms. Slaughter was the GIS manager in Houston?
MS. CLARK: Objection; form.
A. At different times I spoke with some of the folks who worked at the firm GIS indicating that -- or, I guess, confirming -- I'm not sure what the right word is here -- telling them Ava was not the GIS manager and that they were doing a disservice to Ava and to the organization by referring to her as such.
Q. (BY MR. PADGETT) Did you do that in writing at any point in time?
A. I don't recall.
Q. Well, if you thought that they were doing a disservice to somebody, why didn't you do it in writing?
A. Well, I very well may have.
Q. Did you produce any of those e-mails or letters or anything of that nature to your counsel so that they could be provided to us?
A. I do not recall providing such a document.
Q. I mean, for example, you're -- as the office administrator, you're in charge of the way the Houston office is portrayed to the rest of the Jones Day family; is that correct?
A. I'm not sure that's entirely correct.

Q. Okay. Well, but you're in charge of the staffing.
A. I'm in charge of the staffing levels, yes.
Q. At the Houston office --
A. Yes.
Q. -- is that correct?
A. (Moving head up and down.)
Q. You're in charge of the way the staffing is handled, correct?
A. Yes.
Q. And so, if every other office in the Jones Day family believes that Ms. White -- or Ms. Slaughter is the GIS -- or whatever it is called -- manager, why wouldn't you send out a firm-wide e-mail, "No, she's not the manager"?
A. Well, I don't think it's appropriate to send such an e-mail worldwide to draw attention to the fact -- with respect to Ava, to go out there and stand on the rooftop and yell, "She's not the GIS manager."
Q. Well, you felt like it was a disservice to her.
A. Right.
Q. So you didn't want to stand on the rooftops and say, "Stop this travesty of labeling"? You didn't want to do her that favor?
A. I did not want to draw more attention to the

fact, I guess, again, for purposes of protecting Ava from having people suddenly calling her and saying, "I just got an e-mail from Kevin Richardson saying you're not GIS manager."

Q. But she wasn't. Isn't that what your position is here under oath, that she was not the GIS manager?

A. That's correct.

Q. So what harm would that do, Mr. Richardson?

A. Well, I think I already indicated I didn't want to draw more attention and put Ava in the spotlight.

Q. Okay. When did you join Jones Day in Houston as office administrator?

A. March, 2001.

Q. Okay. When you came in, did you make staffing changes with respect to the GIS department?

A. Not that I recall.

(Richardson Exhibit No. 2 marked.)

Q. (BY MR. PADGETT) Okay. If you'll take a look at Exhibit 2 (indicating).

MS. CLARK: Thanks. Just give it a good shove.

Q. (BY MR. PADGETT) Did you ever receive documents like this, the ISS Operations Teleconference Minutes?

A. No.

Q. If you will, look with me -- well, as you see, it's produced to us and carries the application Jones Day 00432 and 433.

Did I read those correctly?

A. Yes.

Q. All right. So that means that these are documents produced to us by Jones Day or in connection with this lawsuit.

A. Yes.

Q. On the second page, if you will look at Item No. 6, the fourth paragraph down, tell me if I read this correctly: "Natalie also wanted to announce we have a new IS manager in the Houston office. Her name is Ava Slaughter. She is from the previous firm and is planning to join the OPS calls. Also, the Houston office is not yet JD net but is scheduled to be sometime in March."

Did I read that correctly?

A. Yes.

Q. All right, sir. So, prior to your joining the firm in the Houston office, Ms. Slaughter is identified as the IS manager; is that correct?

A. That's what this says.

Q. So, when you came in, you took steps, I assume, to change her designation as the GIS manager.

A. No, she was not the GIS manager. So I did not

Q. When was it that you were having problems with being updated if you were having meetings with her on a weekly basis?
A. Well, I think that the nature of the position or the nature of GIS support provides for many different demands that occur on a daily basis. And if we're only meeting once a week, then we may only be hitting on the hot topic of that day or the day before.
Q. Well, you came in with the agenda; is that correct? You said you had a list of things that you brought in.
A. I believe we both had a list of things that we wanted --
Q. Okay.
A. -- to discuss.
Q. And would you forget the list for three days before, or would you come in there with a list of things that you wanted to talk about from the whole week?
A. I think typically it was a list of whatever the pressing demands were, which could go back a day or two or a week or a month.
Q. You were in charge of those meetings, correct?
A. I called those meetings, yes.
Q. So you could set the tone for those meetings.
A. Yes.

Q. So, if Ms. Slaughter was not effectively communicating with her (sic), I assume, as a good manager, you told her that she was not effectively communicating with you.

MS. CLARK: Objection; form.

You can answer.

A. At different times I addressed with Ava her ineffective communication.

Q. (BY MR. PADGETT) And ineffective communication with respect to the GIS position, in specific, is a critical component, correct?

A. Effective communication is critical, yes.

Q. So, if somebody is in the position of a TSS or whatever you considered her to be and she's not effectively communicating with her (sic), why didn't you fire her?

A. Her performance did not merit termination.

Q. So it's okay for her to be ineffective in communication -- which is, what you say, a critical component -- but you don't terminate her?

A. Correct.

Q. Okay.

MR. PADGETT: I need to take a break.

MS. CLARK: That's fine.

(Recess taken.)

Q. (BY MR. PADGETT) Mr. Richardson, we took a little break here. Is there anything about your previous testimony that you need to clarify or change?

A. No.

Q. All right. You had mentioned before the break that there were issues that you had with Ms. Slaughter's ability to communicate.

Can you describe for the jury any specific examples of her failure to communicate and that affecting her performance?

A. I think it's a -- I think it's a style more than it is anything very specific.

Q. Okay. So it's a perception on your part; is that correct?

A. No, I think that she was not as direct at times as I would like her to be, as efficient, if you will.

Q. Do you mean in the word choice that she's using, the way she speaks?

A. No, not necessarily the way she speaks. But a question -- I would ask her a question. And she might -- and it might be a yes-or-no question, and I would not get a yes-or-no answer. And I would -- it was just a drawn-out process.

Q. So, for example, you would ask her some question that would have a yes-or-no answer to it; but

if she doesn't answer "yes" or "no," then she's failing to communicate with you. Is that what you're saying?
A. That's not what I said, no.
Q. Okay. Can you describe it in more detail so I can understand what it is that you felt her style caused problems with?
A. It was inefficient.
Q. Okay. And how was it inefficient?
A. That if you ask a yes-or-no question, typically you'd expect a yes-or-no answer; and it would be a fairly quick response, give and take.
Q. Okay.
A. Now, I understand that not every question that may be asked in a yes-or-no manner is going to merit a yes-or-no reply. But in Ava's case I think it was -- everything took a little longer at times than I thought it needed to take.
Q. All right. Did you feel that she was giving you fluff?
A. No, I think it was more of just Ava's personality.
Q. Okay. All right. So what you had an issue with was her personality, not necessarily with the content of what she was saying?
A. I didn't --

MS. CLARK: Objection.

A. -- say that.

Q. (BY MR. PADGETT) Okay. Well, then, you've confused me, yet, again. And I apologize.

I asked you if she was giving you fluff.

And you said, "No, it was her personality"; is that correct? Is that correct, the way that you just said it a moment ago?

A. I believe it is, yes.

Q. All right. So, if it wasn't that her content was poor, what was it?

A. It was the efficiencies, if you will, of responding to questions.

Q. Okay.

A. And --

Q. So you felt that she should have spoken more quickly or more to the point?

A. At times, yes.

Q. All right. And so as a result you felt that she did not deserve the position of GIS manager.

A. I think it was a contributing factor.

Q. Okay.

A. When we talk about communication, it's also just the straightforward communication: When you complete tasks as appropriate, communicate to the person

Q. Okay. And you don't remember his position in the Dallas office, what his --

A. He worked in the GIS department. I do not know his title.

Q. Okay. What would be an example of Ms. Slaughter's inability to prioritize?

A. Ava had difficulty assimilating into a large organization. She was accustomed to working for a small law firm where the first priority was always serving the managing partner. The second priority was serving the next senior partner and so forth and so on.

In an organization our size with the number of lawyers that we have, we typically have many different competing demands that, I guess, require a more subjective analysis of what's the first priority, what's the second priority, what's the third priority.

There was a time in July, 2002, where we had been -- I recall having just gone through a desktop upgrade, something to that effect. And prior to that time many of our users had been experiencing crashes, crashes that in many ways were attributed to having unauthorized software on their computer.

After the desktops were rebuilt, all -- as part of that process, all unauthorized software was removed from each user's PC. I wanted to get a message